

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

WINERIES OF THE OLD MISSION
PENINSULA ASSOCIATION, *et al.*,

Plaintiffs,

Case No: 1:20-cv-01008

v.

PENINSULA TOWNSHIP, a Michigan municipal
corporation,

Honorable Paul L. Maloney
Magistrate Judge Ray S. Kent

Defendant,

ORAL ARGUMENT REQUESTED

and

PROTECT THE PENINSULA,

Intervenor-Defendant.

**PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE WHY ATTORNEY
WILLIAM FAHEY SHOULD NOT BE DISCIPLINED FOR MISREPRESENTATIONS
TO THE COURT AND BREACH OF RULES OF PROFESSIONAL CONDUCT**

Plaintiffs (the "Wineries") move under LGenR 2.3, and this Court's inherent authority to correct misrepresentations, for an order requiring Peninsula Township's attorney, William Fahey, to show cause why this Court should not discipline Mr. Fahey for statements made during oral argument on November 17, 2022. Specifically, Mr. Fahey made false statements to this Court regarding the contents of Peninsula Township's new winery ordinance. The Wineries provided notice to Mr. Fahey about the false statements, yet Mr. Fahey refuses to correct the misrepresentation despite an obligation to do so according to Michigan Rule of Professional Conduct 3.3(a), among others. The Wineries rely on the accompanying brief and supporting documents in support of this motion.

WHEREFORE, the Wineries request that this Court order Mr. Fahey to show cause why he should not be disciplined for unprofessional and improper conduct at the November 17, 2022

hearing and order Mr. Fahey to pay the Wineries their costs and attorneys' fees incurred in bringing this motion.

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: /s/ Joseph M. Infante

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Dated: January 23, 2023